

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION AT COLUMBUS**

ROBERT BETHEL,

Petitioner,

-vs-

DAVID BOBBY, Warden,

Respondent.

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Case No. 2:10-cv-391

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District Judge Michael R. Barrett  
Magistrate Judge Michael R. Merz

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**DECISION AND ORDER**

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This capital habeas corpus case under 28 U.S.C. § 2254 is before the Court on Petitioner Robert Bethel's renewed Motion for Leave to Amend Habeas Petition (ECF No. 154). Bethel seeks to amend "his Fifteenth Ground for Relief alleging violations of his Due Process and Fair Trial rights under *Brady v. Maryland*, 373 U.S. 83 (1963). *Id.* at PageID 9212, citing Proposed Amendment, ECF No. 154-1). The Court concludes that, unlike Bethel's previous attempts at amendment (ECF Nos. 148-1, 152-1), the instant proposed Fifteenth Ground complies with Fed.R.Civ.P. 10(b) and Rule 2 of the Rules Governing § 2254 cases.

Further noting no objection, and finding good cause shown, the Court GRANTS Bethel's Motion. Bethel shall file the amended Fifteenth Ground as a Supplemental Petition no later than seven days after the filing of this Decision and Order. The Respondent Warden may file a memorandum in opposition as to the Supplemental Petition only within twenty-one days thereafter, and Bethel may file a reply memorandum within fourteen days after the filing of the memorandum in opposition.

June 8, 2020.

s/ *Michael R. Merz*  
United States Magistrate Judge